

FILED 2015 APR 20 AM 10:28  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

UNITED STATES DISTRICT COURT  
for the

Eastern District of Texas

EASTERN DISTRICT OF TEXAS

DEREK JAHN CHABROWSKI )  
JANUSZ KECKI )  
ZBIGNIEW MAKOWIECKI )  
ZBIGNIEW WITKO, FBO TEXAS ENTERPRISES LLC )

*Plaintiff(s)* )  
v. )  
W. JAN LITWIN )  
RYSZARD PISKORCZYK )  
IZABELA NORDAHL )  
KATARZYNA HYCLAK & ROMAN MOZDYNIEWICZ )

*Defendant(s)* )

Civil Action No. 2:16-cv-391-JRG

**SUMMONS IN A CIVIL ACTION**

To: *(Defendant's name and address)* W. JAN LITWIN  
3704 LARKSPUR LANE  
CAMERON PARK, CA 95682

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

DEREK CHABROWSKI  
JANUSZ KECKI  
2155 W. PINNACLE PEAK RD  
SUITE 201  
PHOENIX, AZ 85027

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

*CLERK OF COURT*

Date: 4/12/16

*C. Shurtliff*

*Signature of Clerk or Deputy Clerk*

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

MARSHALL DIVISION

DEREK JAHN CHABROWSKI, )  
JANUS KECKI, ZBIGNIEW MAKOWIECKI ) Case No.: 2:16CV391JRGSP  
ZBIGNIEW WITKO, in the Right of and )  
for the Benefit of Texas Enterprises LLC, d.b.a. )  
Bluebonnet Elite Assisted Living, Plaintiffs )

Vs.

W. JAN LITWIN, RYSZARD PISKORCZYK, )  
IZABELA NORDAHL, KATARZYNA HYCLAK, )  
ROMAN MOZDYNIEWICZ, Defendants )

**AFFIDAVIT OF NON-SERVICE**

I, Bill McNutt, being duly sworn according to the law upon my oath, depose and say, that I am not a party to this action, am over 18 years of age, and have no direct personal interest in this litigation.

PARTY: W. JAN LITWIN

DOCUMENT: SUMMONS AND VERIFIED SHAREHOLDER DERIVATIVE COMPLAINT

DATE & TIME: 4/15/2016 AT 10:00 a.m.

ADDRESS: 102 Floyd Street, Naples, Texas 75568

I hereby certify that I completed due and diligent attempts to serve W. Jan Litwin. I therefore return this Summons & Complaint without service on W. Jan Litwin.

Diligent attempts were made per the following notations:

4/15/2016 Service was attempted on W. Jan Litwin at the above stated address. Server asked for W. Jan Litwin and LVN in charge said he was not there and then advised Casey Simmers, was the person in charge. LVN called Casey Simmers and had her return to facility and told server that Mr. Litwin was in California, but she would make a call and find out if she could accept papers. She came back and told server she could not accept any papers.

I hereby certify and return that the information contained in the Affidavit of Non-Service is true and correct. This affirmation is made subject to the penalties of 18 PA C.S. 4904 relating to unsworn falsification to authorities.

  
BILL MCNUTT SCH # 2322 EXP. 11/30/18

Subscribed and sworn before me, a Notary Public,  
this 15<sup>th</sup> day of April, 2016.

